

**IN THE HIGH COURT OF UTTARAKHAND AT
NAINITAL.**

Writ Petition No. 653(S/S)2007

Girish Singh S/o late Sri Har Singh,
Presently posted as Gur Pradarshak,
Uttarakhand, Khadi Avam Gram Udhog Board,
Almora, District Almora. ----- Petitioner.

Vs.

1. State of Uttarakhand through its Secretary,
Industries Department, Dehradun,
2. Chief Executive Officer, Uttarakhand Khadi Avam
Gram Udhog Board M-16, Chandralok Colony,
Rajpur Road, Dehradun,
3. Addl. Chief Executive Officer, Uttarakhand Khadi Avam
Gram Udhog Board M-16, Chandralok Colony,
Rajpur Road, Dehradun,
4. Joint Chief Executive Officer, Uttarakhand Khadi Avam
Gram Udhog Board M-16, Chandralok Colony,
Rajpur Road, Dehradun, ----- Respondents.

Sri Rakesh Thapliyal, learned Counsel for the petitioner,
Sri Paresh Tripathi, learned State Counsel for State of Uttarakhand.
Sri N.S. Pundir, learned counsel for respondent nos. 2 to 4.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Rakesh Thapliyal, learned Counsel for the petitioner and Sri Paresh Tripathi, learned State Counsel for State of Uttarakhand and Sri N.S. Pundir, and learned counsel for respondent nos. 2 to 4.

By means of this writ petition, the petitioner has prayed for the following reliefs:-

- i. Issue a writ, order of direction in the nature of mandamus directing to the respondents to consider the claim of the petitioner for absorption or promotion as

being a surplus staff on the post having the pay scale of Rs.3050-4590 after taking into consideration that two othersurplus employees have been absorbed on the post having the same pay scale i.e. Rs. 3050-4590.

- ii. Issue any suitable writ, order or direction which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case,
- iii. Award the cost of the petition to the petitioner.

Stand of the petitioner is that for redreassal of his grievances he has already moved a representation before the Kshetriya Adhikshak Udyog (Oon), Almora (Regional Superintendent Industries (Wool), Almora) on 06.12.2006 with a prayer that he should also be considered for promotion on the post of Clerk. Further, on 7th December 2006 his case has already been recommended by the Regional Superintendent Industries (Wool), Almora to the Chief Executive Officer, Uttarakhand Khadi Gram Udhdyog Board/ respondent no. 2 a copy of which has been annexed as annexure no. 5 to the writ petition.

During the course of arguments, learned counsel for the petitioner has submitted that the respondent no. 2 i.e. the Chief Executive Officer, Uttarakhand Khadi Avam Cram Udhdyog Board, Dehradun may be directed to take decision on the recommendations made by the Regional Superintendent Industries (Wool) Almora dated 7th December 2006 within the period stipulated by this Court.

The prayer is innocuous.

Consequently, I direct the Chief Executive Officer, Uttarakhand Khadi Avam Udhog Board, Dehradun/ respondent no. 2 to take decision on the recommendations made by the Regional Superintendent Industries (Wool) Almora dated 7th December 2006, within a period of one month from the date of production of a certified copy of this order.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

June 12, 2007:
NCM: